

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Bierwagen et al.	)	
		)	
Serial No.:	10/579,148	)	
		)	Examiner: Unknown
Filed:	October 7, 2004	)	
		)	Art Unit: Unknown
For:	MAGNESIUM RICH COATINGS AND	)	
	COATING SYSTEMS	)	
		)	

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RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed December 14, 2006, regarding the above-identified patent application, enclosed are:

- (X) A SIGNED Declaration and Power of Attorney for Patent Application (8 pages total);
- (X) A COPY of the December 14, 2006, Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and

(X) Fees as calculated below:

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Surcharge 37 CFR 1.492(h)	\$ Previously Paid
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Basic National Fee	\$ Previously Paid
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Additional Claim Fee	
(29 total claims in excess of 20)	\$ 1450.00
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Nat'l Stage Search Fee (US was the ISA)	\$ 100.00
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Nat'l Stage Examination Fee	\$ 200.00
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<b>TOTAL Fees Submitted Herewith</b>	<b>\$ 1750.00</b>
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( ) A check in the amount of \$\_\_\_\_\_ to cover the above fees.

(X) Payment in the amount of \$1750.00 to cover the above fees is to be made by credit card. Form PTO-2038 is enclosed.

( ) The Director is hereby authorized to charge \$\_\_\_\_\_ to Deposit Account No. \_\_\_\_\_. **A duplicate copy of this sheet is enclosed.**

(X) The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-0772. **A duplicate copy of this sheet is enclosed.**


02/13/2007 LLANDGRA 00000054 10579148

01 FC:1615  
02 FC:1641  
03 FC:1633

1450.00 OP  
100.00 OP  
200.00 OP

Respectfully submitted,

9 February 2007  
Date

  
Peter Rogalskyj  
Reg. No. 38,601

Rogalskyj & Weyand, LLP  
P.O. Box 44  
Livonia, New York 14487-0044  
Tel: 585-346-1004  
Fax: 585-346-1001

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Bierwagen et al.

Docket No.

047.00063 (RFT-118)

Application No.

10/579,148

Filing Date

October 7, 2004

Examiner

Unknown

Customer No.

Not Assigned

Group Art Unit

Unknown

Invention: **MAGNESIUM RICH COATINGS AND COATING SYSTEMS**

I hereby certify that the following correspondence:

**SIGNED Declaration and Power of Attorney for Patent Application (8 pages total)***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

9 February 2007*(Date)*Peter Rogalskyj*(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)*EQ127421897US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Bierwagen et al.

Docket No.

047.00063 (RFT-118)

Application No.

10/579,148

Filing Date

October 7, 2004

Examiner

Unknown

Customer No.

Not Assigned

Group Art Unit

Unknown


Invention: **MAGNESIUM RICH COATINGS AND COATING SYSTEMS**

I hereby certify that the following correspondence:

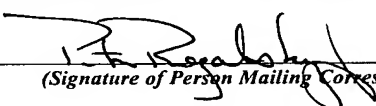
COPY of the December 14, 2006, Notification of Missing Requirements (2 pages)

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

9 February 2007*(Date)*Peter Rogalskyj*(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)*EQ127421897US*("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>			Docket No. 047.00063 (RFT-118)	
Applicant(s): Bierwagen et al.				
Application No. 10/579,148	Filing Date October 7, 2004	Examiner Unknown	Customer No. Not Assigned	Group Art Unit Unknown
Invention: <b>MAGNESIUM RICH COATINGS AND COATING SYSTEMS</b>				
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 5px; min-height: 40px;">PTO-2038 Credit Card Payment Form (1 page)</div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <p style="text-align: center;"><u>9 February 2007</u> <i>(Date)</i></p> <div style="text-align: right; margin-top: 20px;"><u>Peter Rogalskyj</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i>  <i>(Signature of Person Mailing Correspondence)</i> <u>EQ127421897US</u> <i>("Express Mail" Mailing Label Number)</i></div>				
Note: Each paper must have its own certificate of mailing.				

**COPY**

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/579,148	Gordon P. Bierwagen	047.00063 (RFT-118)

INTERNATIONAL APPLICATION NO.

PCT/US04/33089

I.A. FILING DATE

10/07/2004

PRIORITY DATE

11/13/2003

Peter Rogalskyj  
 Roglskyj & Weyand  
 P.O. Box 44  
 Livonia, NY 14487-0044

CONFIRMATION NO. 8925

371 FORMALITIES LETTER



\*OC000000021590505\*

Date Mailed: 12/14/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/12/2006
- Copy of the International Search Report filed on 05/12/2006
- Request for Immediate Examination filed on 05/12/2006
- U.S. Basic National Fees filed on 05/12/2006
- Priority Documents filed on 05/12/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$1450** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$1450** for a Large Entity:

- Total additional claim fee(s) for this application is **\$ 1450**
  - **\$1450** for **29** total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/579,148	PCT/US04/33089	047.00063 (RFT-118)